

REMARKS

Claims 1-16 are pending. Claims 17-22 are added. Accordingly, claims 1-22 are at issue.

Initially, the indication of allowable subject matter in claims 2, 3, 10, 11, 15, and 16 is noted with appreciation. Accordingly, claim 2 is rewritten in independent form to include the limitations of its base claim 1 so that claim 2, and claims 3, 10, 11, 15, and 16 which depend cognately therefrom, should all now be in condition for allowance. In addition, dependent claim 13 is amended to depend from allowable claim 2 so that it should now be in condition for allowance.

Claims 1, 4-8, 12 and 13 stand rejected under 35 USC §103(a) as unpatentable over U.S. Patent No. 6,393,821 to Prabhu in view of any of JP 2002-202006, U.S. Patent Publication No. 2002/0023628 to Kilmer, and US Patent No. 6,190,429 to Fujimura, et al. Claims 9 and 14 stand rejected under 35 USC §103(a) as unpatentable over Prabhu in view of any of JP 2002-202006, Kilmer and Fujimura, et al., as applied above, and further in view of US Publication No. 2002/0148229 to Pont, et al. or JP 10-047626.

The rejections, as they may be applied to the claims presented herein, are respectfully traversed.

Prabhu discloses an apparatus in which a mixture gas of fuel gas such as CMG and air is contained in a container 1 and is extracted separately from points at different heights in the container (different air-fuel ratios), and the mixture gas is then blended together as necessary (see Fig. 1). The apparatus comprises the container 1 containing the gas such as CMG, a plurality of supply passages 7, 8, 9 and 10 (respectively provided with control valves) for extracting the gases with different air-fuel ratios from the points at different heights, a meter M for measuring a calorie value at each point, at different heights, a meter M for measuring a calorie value at each point, and an air supply means 2 for supplying air to the container 1.

In Prabhu, separation of the mixture gas is performed naturally because of difference of specific gravity based on the difference of a mixing ratio (air-fuel ratio) between the air and the fuel gas supplied to the container after storing the fuel gas in the container 1 (natural separation method). The calories of the fuel gas are substantially adjusted by the air.

The features of amended claim 1 of the subject application are that a combustible component meter continuously measures the content of the combustible component of the gas continuously collected by the gas collecting device, the gas is separated based on measurement result of the combustible component meter and the separated gases are supplied to different supply passages (forcible separation method). In amended claim 1, obviously, the mixture gas is not separated naturally by weight based on different specific weights of the mixture gas.

Prabhu discloses a meter M for measuring calorific values of the mixture gases. However, the meter M is to measure an actual calorific value of each gas in a predetermined height within a tank after the gas is naturally separated. In contrast, in amended claim 1 of the subject application, the combustible component meter continuously measures the combustible component content of the gas being collected, separates it based on measurement result and supply the separated gases.

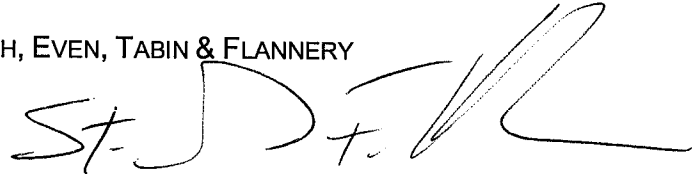
The apparatus of Prabhu is incapable of continuously separating the fuel gas whose combustible component content varies with time, according to the combustible component content.

The other cited references (Japanese Laid-Open Patent Application 2002-202006, Kilmer (US Publication No. 2002/0023628), Fujimura, et al. (US Patent No. 6,190,429), Pont, et al. (US Publication No. 2002/0148229), and Japanese Laid-Open Patent Application No. Hei. 10-047636) do not teach the features recited in amended Claim 1 of the subject application.

Based on the forgoing, reconsideration and allowance of claims 1-16, and consideration and allowance of claims 17-22, are respectfully requested.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

A handwritten signature in black ink, appearing to read 'St. J. D. F.', with a large, stylized flourish extending from the end.

By:

Stephen S. Favakeh
Registration No. 36,798

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120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007